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A

MEMORANDUM

TO THE

PRESIDENT AND DIRECTORS

OF

BRYN MAWR COLLEGE

UNIVERSITY OF ILLINOIS LIBRARY
SEP 1923

In Behalf of

MARGERY BARKER

The following letter and the accompanying memorandum was sent to the President and to each member of the Board of Directors of Bryn Mawr College prior to the meeting of the Board on May 20th, 1921.

Despite the fact that Mr. Rust was readily accessible his request for a hearing was ignored by the Board.

Pittsburgh, Pa., May 17, 1921.

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I hand you herewith copy of memorandum in behalf of Miss Margery Barker, copy of which I am sending to each one of the Board of Directors of Bryn Mawr College. I would greatly appreciate it if you would kindly read this paper over carefully and take this subject up for formal action at your Board meeting on the 20th. I will be at the Bellevue-Stratford Hotel on Thursday and Friday and earnestly request that you give me an opportunity to appear before your Board for a discussion of this very important matter before final action is taken.

Before I became interested in this subject Mrs. Barker had retained Counsel; intending to take the matter into Court as the College management had refused to further investigate or to reconsider its action. Mrs. Barker and her daughter both agreed that, in consideration of my taking the matter up, they would suspend all legal action until I had a reasonable time to clear up the situation without the intervention of the Courts. They also agreed that if I were convinced that Margery was guilty, and properly dismissed, they would take no further action.

In an interview with Mr. White he stated to me that he felt that if I had talked personally with the Misses Kennard, Cadot and Foot that I would be convinced of Miss Barker's guilt. I asked permission to meet these young ladies for a free and full discussion, but he felt he could not agree to this. Had I been permitted to interview these young ladies, I feel quite certain that, instead of being convinced of Miss Barker's guilt, other facts would have been developed that would tend to prove conclusively that the whole thing has been handled in a very unfair and irregular way.

Every move that Miss Barker has made since this unfortunate occurence has been to her credit; clean and conclusive of innocence.

Miss Kennard was not at that time a member of the Board of the Students Association for Self Government. The Students Association for Self Government was not a party to this transaction at all and I am told that they refused to endorse Miss Barker's dismissal. The stealing is still going on.

Since Miss Barker has protested that she was not guilty and has taken steps to prove her innocence, the College has appeared to resent any attempt on her part to prove her innocence and has thrown every obstacle in her way to prevent her securing evidence of her innocence. Students who have made appointments to see her have been prevented from keeping those appointments.

The College has been placed in a position that indicates clearly that, in the judgment of the management, it is much more important to prove the College has not made a mistake than it is to prove one of its students is not a thief.

Yours very truly,

H. B. Rust.

PITTSBURGH, PA., May 12, 1921.

To the President and Directors of
Bryn Mawr College.

LADIES AND GENTLEMAN:

Acting on the suggestion of one of your number, I have prepared a statement regarding the case of Miss Margery Barker, which I respectfully submit herewith. The facts set forth in this statement agree, so far as I have been able to check them, with those given me by Mr. White, except in a few details on which I have learned he was misinformed.

Due to the college's attitude, I have not had access to certain witnesses in the matter; but I have given the subject a great deal of attention and have investigated the case as thoroughly as possible in an effort to arrive at the truth.

Prior to four months ago, I had never heard of Miss Barker or her family. Having met my daughter, who is a Freshman at Bryn Mawr College, she visited my house for eight days in January. I have taken an interest in this matter at the request of Miss Barker and her Mother. I have felt that she was not equipped to combat the situation without assistance. During the last few weeks I have seen a great deal of her and feel that I know her very well. In my estimation she is decidedly above the average in intelligence and integrity. I am convinced that a serious mistake has been made and that Miss Barker is entirely innocent

of the alleged offense for which she has been dismissed from Bryn Mawr College.

This is a very serious matter. A similar occurrence in another college led to the suicide of the girl who was accused. I earnestly urge that each of you think first how you would feel if a daughter of yours, whom you knew to be absolutely innocent and most worthy, had been treated as Miss Barker has been treated, and, in consideration of her and in order to protect the good name of Bryn Mawr, that steps be taken immediately to see that she is reinstated and an announcement made to the student body that a mistake has been made in her case which the college deeply regrets.

Miss Barker has documentary evidence covering all of the essential facts in this memorandum, which I have endeavored to make as short as consistent with an adequate presentation of the subject. For your convenience I have had the memorandum printed.

Thanking you for the courtesies which I have received at the hands of all of you whom I have had an opportunity to meet, believe me,

Yours very truly,

H. B. Rust.

MARGERY BARKER.

Family:

Margery Barker is 20 years of age. She was raised on a small farm three miles from Michigan City, Indiana, comes of good stock and is well connected. Her mother pays for her tuition and board and gives her an allowance of $100 per month, which is supposed to cover her pleasures, incidental expenditures and clothes while at college. In addition to this, her mother gives her additional money from time to time and pays half of her traveling expenses. Her mother does not have a large income, but one ample to pay for Margery's education and give her everything she needs or wants. The connection is a wealthy one. The financial status of her family is such as to make dishonesty on her part altogether unnecessary and unlikely.

Preparation for College:

As is the case in most country districts, the educational facilities at her home were not good, therefore, until about six years ago, Margery did not have the educational advantages of a girl living in a city. Ever since she was 12 years old, her great ambition has been to be a graduate of Bryn Mawr College. Preparation for entrance to this or other Eastern colleges being inadequate in her home community, tutors were employed by her family. She attended the Brearley School in New York for two years, then the Misses Kirk school at Bryn Mawr and the Bryn Mawr Camp. At all of these places she had an excellent record, especially for integrity. She entered Bryn Mawr as a freshman at mid year, 1920, under something of a handicap, as regards previous school preparation.

During the past few years she has had a great deal of trouble. Her only brother was seriously injured in an automobile accident a few months ago, and this and other things she felt very keenly. At times during the past year she has been depressed, but not more than would be expected of any normal sensitive girl.

Visit to Pittsburgh:

She visited my home in Pittsburgh for 8 days during Mid Year examinations in January, 1921. Although we live very quietly, she seemed to enjoy her visit thoroughly. She was very enthusiastic about Bryn Mawr and talked a great deal of her life at college and her friends there. What she told me tended to intensify the good opinion I had already formed of Bryn Mawr.

While in Pittsburgh, she impressed everyone whom she met as being an unusually sensitive, tactful, simple, unpretentious, nice, clear-headed girl, apparently giving little thought to clothes and things of that character, and not given to gossip or making unkind remarks about others. After she went back to college, she wrote an unusually nice and appreciative letter to us.

Personal Impression of Her:

Since her trouble at Bryn Mawr has occurred, I have seen a great deal of Margery and have had many interviews with her, varying from a few minutes to four or five hours at a time. I have put her through several severe and grilling examinations, with the result that the good opinion I had formed of her has increased.

In my conversations with her it was my natural feeling to question the motives of the three girls who had been largely instrumental in bringing this terrible trouble on her. Margery insisted that these three girls

were all nice girls, that she did not know Miss Cadot so well, but did know the other two girls and was sure they were conscientious, high class girls. She spoke well of every other person involved in the matter at Bryn Mawr, saying that she was positive that they were thoroughly convinced that she was guilty, that there was nothing malicious in their attitude, but that they had made a horrible mistake.

Margery spoke in the highest terms of President Thomas, saying that she had only met her once before this occurence, and that was several years prior to her entering Bryn Mawr, but that she had always retained the excellent impression that Miss Thomas had made on her at that time.

I have never heard her say an unkind word of anyone connected with this affair. I have talked with several of the girls at Bryn Mawr. One in whom I have great confidence, whom I know very well and who has seen a great deal of Margery during this year, assures me that she is a high-grade, clear-headed girl—that she is positive that Margery is innocent of all guilt. Other girls who have known Margery for years have told me the same.

I am morally certain that Margery is absolutely innocent and that she is well above the average in clear-headed intelligence and in character.

STATEMENT OF THE CASE.

Stealing in January:

On January 22nd, approximately $30 was missed by various students in Pembroke West and reported to Margaret Kennard, a Junior and Head Proctor of that

Hall. This money was reported to have been taken between the hours of nine and ten in the morning, during mid year Biology examination, at which time it has been stated there were only four students that lived in that hall who were not absent from the hall. Suspicion centered on these students, who were Margery Barker, a Sophomore; Louise Cadot, a Senior, and two others.

Suspicion Centers on Margery Barker:

In answer to a question from Miss Kennard as to whether she had lost any money, Margery told her "No," but that evening or the next day, she told Miss Kennard that she had discovered that $11 of hers had been stolen sometime during the day. Miss Kennard states she immediately jumped to the conclusion that this was a blind on the part of Margery and that Margery was the thief who had taken the money.

Miss Kennard took into her confidence Miss Marynia Foot, Miss Louise Cadot, Miss Patterson, the housekeeper, and one of the maids. Thereafter, Margery's movements were carefully watched.

Marked Bill Lost:

Miss Kennard states that sometime between January 22nd and March 17th she marked a $2 bill and placed it in a drawer in her room. It had been there several weeks prior to March 17th, on which date Miss Kennard missed this bill. She states that it disappeared between the hours of 4:30 and 5:30 on the afternoon of March 17th, while she was absent from her room.

Decoy Attempted:

Early in the morning of March 23rd, Miss Cadot placed a $5 bill somewhere around the desk in Miss Prue Smith's sitting room. Miss Smith's room is next door to Margery Barker's.

A little before 9 A. M. on March 23rd, Margery was waiting before Dean Smith's office to consult with the Dean regarding a matter of cuts. There was a group of about six girls there and as she had arrived first, she would be the first to go into the Dean's office. Miss Prue Smith of Brooklyn, who roomed next to Margery, asked her if she would inquire from the Dean whether students might attend an Artists' Exhibition in Philadelphia that afternoon, or whether the quarantine regulations would endure throughout vacation.

About ten minutes later when Margery went into the Dean's office, she neglected to ask about the quarantine regulations and after consulting with the Dean about her own matters, she went out. She then recalled the favor asked of her and waited her turn to go back into the Dean's office. While waiting, she heard that it had been announced in Chapel that morning that the quarantine would endure throughout vacation.

Prue Smith's Room:

As this gave her the information that Prue Smith had asked her to secure, Margery went to Prue Smith's room to leave a note for her, about 9:25 A. M. As she walked into Prue Smith's sitting room, she noticed that the desk was cleared and no pencil or paper were on top of it, but that there was paper in the waste basket and that a large drawing board was leaning against the desk. As Margery had no pencil with her, she walked into

Prue Smith's bedroom and looked on top of the chest of drawers (over which there was no mirror) in search of a pencil Not seeing one, she opened the right hand top drawer of the chest of drawers and found a green leather hand bag. This she felt without opening, expecting to feel a pencil. There was no pencil in it and she replaced the bag, closed the drawer and turned to leave the room.

There was a full length mirror on one wall of this room and as Margery turned to leave the room, she saw, reflected in the mirror, a girl in the closet who was evidently watching her. Margery was very much surprised but said "Hello" to the girl, who proved to be Louise Cadot. Mis Cadot was evidently trying to hide from Margery and kept her eyes averted, but after a moment's hesitation she said "Hello" and stepped forward to the threshold of the closet. She had some knitting in her hands on which she worked nervously. Margery thought she would probably leave the room ahead of her, but as she made no move to do so, Margery left the room.

About 9:45 in Pembroke West, Margery asked one of the other students if she saw a girl hiding in the closet of some one else's room would she report her. The other student answered that she would talk to the other girl first because, otherwise, she might get her into trouble when she was entirely innocent of any wrong-doing. Margery asked her what she would do if it was a Senior who she did not know very well. The other girl said she did not know.

Asked for Explanations:

At 11:00 A. M. that morning, after Spanish class, Margery was called by a stenographer into Dean

Smith's office. There were present: Dean Smith, Louise Cadot, Marynia Foot, Margaret Kennard and a stenographer. Margery was asked to explain her presence in Prue Smith's room, which she did as stated above, but without mentioning having seen Louise Cadot in the room. She was told that she was one of four girls in Pembroke West who had no classes between nine and ten in the morning and that she had been seen going into other girls' rooms when they were out and was asked to state the reasons. She said she would have to know what rooms and what time, as she could not think of any at the moment. She was told that they could not tell her at the moment, but would get the information later. This interview was conducted mostly by Dean Smith and lasted not more than eight minutes.

Told Matter Would be Cleared Up After Vacation:

At 12 o'clock, after English class, Margery went into Dean Smith's office and found her alone. Margery told Miss Smith that she was leaving for home on the 1:16 train that day, but would be glad to stay at Bryn Mawr to clear up the matter if she was under suspicion, and particularly requested that the matter be not mentioned to her mother, whom she did not wish to be worried. Dean Smith spoke very kindly and said she did not think it would be necessary to tell her mother and said there would be plenty of time to clear the matter up after vacation.

Accused of Improperly Visiting Other Girls Rooms:

A few minutes before 12:30 the Laboratory Assistant came into Physics class and told the Professor that Dean Smith wished to speak to Margery Barker.

Margery reached the Dean's office about 12:30 and found there: Dean Smith, Miss Adair, Miss Foot, Miss Kennard and a stenographer.

She was told that she was one of the few girls free at the time of the Mid Year Biology Examination when $40* had been stolen from various rooms. She was charged with having been seen in the rooms of the following girls at times during the preceding two months when they were absent:

1. Margaret Kreck and Elsie Parson, rooming together.
2. Eleanor Brush and Jane B. Yeatman, rooming together.
3. Prue Smith.
4. Henrietta Baldwin,

and was asked to give the reasons for her visits. She answered as best she could recall at the moment. She was told that stamps had been stolen between nine and ten o'clock in the morning from Louise Mearn's room and that they had been taken from a hiding place where Margery had seen Miss Mearn put them.

Margerey was asked why on that morning she had visited Miss Bunch's room. She answered that Miss Bunch, a sophomore, was a friend of hers and she had gone to tell her good-bye. She was asked why she had visited Miss Steven's room and gave a similar answer. She was asked why she visited Miss Bolton's room and she said to buy some chocolates.

This interview was conducted principally by Miss

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*It is to be noted that of the $40 named in this implied accusation, $11 had been stolen from Margery herself.

Foot and lasted about 11 minutes, and Margery was left under the impression that the investigation would be continued after vacation. She suggested that she should remain in Bryn Mawr during vacation to clear the matter up, but was told that there would be plenty of time to clear it up after vacation.

Incident of $2 Bill:

After this interview, on her way back to Pembroke West, Margery was overtaken by Margaret Kennard, who asked her to come into her room. Miss Kennard told Margery that some bills were missing and asked to see Margery's money. Margery took her money from her pocket and Miss Kennard immediately seized a $2 bill in Margery's hand and said it was hers. Margery disputed this, stating that she had gotten this bill from Miss Bunch as change from the purchase of a ticket the day before. Miss Kennard then gave her two one-dollar bills and insisted on keeping the $2 bill, without explaining why she thought it was hers. Miss Foot appeared in the hall about this time, but was not a party to this occurrence. This interview did not last more than two minutes.

About 1:00 P. M., on the way to her train, Margery took her railroad ticket from her purse and saw on the envelope containing the ticket the notation, "$48.69." She immediately realized that this must have been what Miss Bunch had paid for her ticket; and deducting this from the $50 check used by Miss Bunch, she knew she had made a mistake in telling Miss Kennard that she had received the two dollar bill in change from Miss Bunch. The bill given her by Miss Bunch had evidently been a $1 bill, which she had used in paying to have her trunk taken to the depot.

A few minutes later, on her way to the baggage room, she saw Miss Bunch and went up to her, drawing her aside from the friends she was with and asked her how much change she had given her the afternoon before in the Pullman envelope. Miss Bunch replied that there had been a little over a dollar. Miss Bunch then told Margery that Miss Kennard had asked her if she had given Margery a $2 bill in change after buying her ticket and that she had replied that there had been a one dollar bill and some change.

After checking her trunk, Margery immediately went to the telephone in the station and tried to reach Dean Smith, but as she failed to do so, she left a message that she was writing her in regard to a mis-statement she had made to Miss Kennard and that she would mail her an important letter regarding the matter before night. Miss Smith did not wait to receive this letter, but before leaving Bryn Mawr that night signed a recommendation to President Thomas asking that Margery be not permitted to return to college for the present.

Miss Thomas was away from Bryn Mawr at the time and was not a party to any of these occurrences.

Dismissed for Stealing:

Miss Kennard left for her home in Massachusetts on the afternoon of March 23rd and wrote a letter within one or two days to another student, telling her that a marked two-dollar bill which had been stolen had been found in the possession of Margery Barker and that Margery would not be permitted to return to school after vacation.

In the letter that Margery wrote Miss Smith, she

told her she had received the two-dollar note from a taxi driver on the 13th of March in change for a five-dollar bill and gave Miss Smith the telephone number of the taxicab company. She also mentioned two occasions when she had visited Miss Kreck's room which she had not thought of in the morning interviews.

Miss Thomas wrote both to Mrs. Barker and to Margery on the 26th of March, stating: "On account of serious circumstances that took place on Wednesday, March 23rd," she thought it would be undesirable for Margery to return to college after vacation, but would write her further after she had had time to look into the matter. On April 2nd, she wrote Mrs. Barker telling her positively that Margery would not be permitted to return to college. Later Margery's furniture and other effects were shipped back to her home.

Reconsideration Refused:

On April 2nd several friends of Margery's called on Miss Thomas and endeavored to prevail on her to stop, look and listen, before branding Margery as a thief, as the cause of Margery's dismissal was well known among the students and this was the only construction that could be placed on it. Miss Thomas refused to reconsider the matter and refused the several appeals made by Margery's mother to have a thorough investigation made of the matter or to permit Margery to return to school.

DISCUSSION OF CASE.

Not Conclusive that Resident Stole Money:

There is no conclusive evidence that one of the students living in this Hall was the thief. Students from other halls run in and out of the different halls promiscuously and no one questions them. They run all over the place, making free use of each other's rooms, and in some cases of their clothes. When something is lost they search each other's rooms, even in other halls.

A student from another hall has stated that prior to March 22nd of this year she studied twice in Miss Kreck's room, once in Miss Coleman's room, twice in Prue Smith's room and several times in Miss Bennett's room, between nine and ten in the morning. All of these rooms are in Pembroke West. This shows clearly that students from other halls frequent that hall during that hour and other hours of the day.

A Maid May Have Been the Thief:

Furthermore, there are several maids employed in Pembroke West, any one of whom could readily have walked into these rooms without being detected. While it may be that a resident of the hall was the thief, there is nothing sufficiently conclusive to justify such an assumption.

Evidence of Honesty:

The incident of opening the drawer in Prue Smith's room is not evidence of dishonesty. On the contrary it is evidence of honesty. A bill was planted in Prue

Smith's desk—Margery Barker was asked to do something that would logically and naturally cause her to visit this room. She did the logical and natural thing and visited the room. She did not "fall" for the $5 note that was planted there. She did open a drawer and take up a purse containing money but did not take the money. She did not even open the purse. This is clear evidence that she was not looking for money; but these amateur detectives were evidently so bent on proving Margery guilty that they construed conclusive evidence of honesty to be evidence of guilt.

Stamps:

Louise Mearns, a Junior, told Miss Kennard and told President Thomas that she had never said the stamps disappeared between nine and ten o'clock. She told President Thomas that she had seen a great deal of Margery this year and last and that such a thing as she was accused of could not be true. She also did her best to impress on President Thomas that going into other people's rooms was not proof of anything.

Girls' Rooms Visited:

In regard to the matter of visiting other girls' rooms. Margery Barker's relations with these girls, whose rooms she visited, was as follows:

1. Margaret Kreck and Elsie Parson, roommates. The former is a Junior and the latter a Freshman. She has known both for six years.
2. Eleanor Brush and Jane B. Yeatman, roommates. She had known these girls about a year. Miss Brush is quite a friend of hers and has asked Margery to visit her this Spring and

stay at her home this June at the time of Miss Brush's wedding.

3. Henrietta Baldwin is a Senior whom she has known for three years and with whom she is on terms of close friendship. Miss Baldwin asked Margery to room next to her this year.
4. Prue Smith is a Junior who roomed next to Margery and whom she has known for over a year.

All of these girls, except Miss Baldwin, have sitting rooms, and aside from the regular practice of the girls in visiting each others rooms, it is entirely natural for one like Margery, occupying a single room and needing to study between nine and ten in the morning, to occupy someone else's room while waiting for her own room to be cleaned by the maids.

No one, knowing of her relations with these girls and familiar with the common practice of girls visiting each other's rooms at Bryn Mawr, would be justified in having any suspicions aroused because of her visiting the rooms of these acquaintances.

Protest from Girls:

Early in April, Miss Brush, Miss Ann Rupert and Miss Louise Mearns went to see President Thomas on behalf of themselves and Margaret Kreck, Eleanor Parsons and Jane Belle Yeatman and declared to Miss Thomas that Margery's visiting their rooms was no proof of anything and that she was welcome to visit their rooms and borrow anything they had at any time she chose. These girls did everything in their power but were unable to prevail on Miss Thomas to give Margery's case a "fair consideration."

President Thomas stated to these girls that she thought the stealing was still going on. This has been confirmed from other sources.

Incident of the $2.00 Bill:

On March 23rd Margaret Kennard went to Dean Smith and showed her a $2 bill which, Miss Kennard stated, she had marked several weeks before and placed in a drawer in her room. She asserted that, between 4:30 and 5:30 P. M. on the afternoon of March 17th, the bill was stolen from her drawer and that she had just taken it from Margery Barker. Therefore, Miss Kennard reasoned, Margery Barker had stolen it and this, taken in connection with the fact that Margery was suspected of having stolen other money, and the fact that Margery Barker had gone into Prue Smith's room that morning, had walked past a desk where there was money and had not taken it, and had picked up a purse containing money without opening it or taking any money from it; this—all taken together—proved conclusively that Margery was the thief who had been operating in Pembroke West and that she should be dismissed from college. She stated that Margery had told her that she had got this $2 bill in change from Miss Bunch, but that Miss Bunch had since told Miss Kennard she only gave Margery a one dollar bill. To her, this was further proof of Margery's dishonesty. She did not stop to consider that in the six days that had elapsed since she thought she had lost the bill, there was ample time for the bill to have wandered all over college and all over the town of Bryn Mawr.

The Verdict:

Notwithstanding the inadequacy of such evidence, Miss Smith accepted Miss Kennard's point of view. Without waiting to hear from Margery, without seeing her, and without any teacher or official of the College discussing the matter with Margery, Miss Smith wrote President Thomas recommending Margery's dismissal from college. Before Miss Thomas even received such a recommendation, Margaret Kennard wrote another student, telling her that Margery had been found with a marked bill on her and would not be permitted to return to College.

When Miss Smith received the letter from Margery telling her that the latter had made a mistake as to where she had obtained this $2 bill, that she had received it from a taxi driver, and telling her how to verify this from the taxi driver himself, no attempt was made to investigate this, because Margery said this bill was received from the taxi driver on March 13th and Miss Kennard had said she lost the $2 bill in question on the 17th of March.

Premature Conclusions:

Evidently, from the time Miss Kennard jumped to the conclusion that Margery was guilty in January, she took into her confidence these other people who have been mentioned and their entire efforts have been centered not on finding the real thief, but on proving that Margery was the thief. She was the only one of several girls, who might have been suspected, whose money was examined before she left college.

Every time she visited a room, the worst possible construction was put on it with the result that these amateur detectives worked themselves into the frame

of mind that she was guilty and all that was necessary was to prove her guilt. On the 23rd of March they planted a $5.00 bill and made a deliberate attempt to trap Margery. This failed so far as any wrong doing on Margery's part was concerned, although she did what was expected of her, so far as any normal, obliging, honest girl would have done. She went to Prue Smith's room and endeavored to leave a note. However, these amateur detectives could not see this thing in its proper light. Their brains were working overtime to prove Margery guilty and even evidence of innocence they construed as evidence of guilt.

What Probably Did Occur:

As there is conclusive evidence that Margery was not in the hall during the time when Miss Kennard says the bill disappeared, then Margery could not have taken it. However, as the taxi driver has stated in writing that he did give Margery a $2.00 bill on the 13th of March, and as Margery has no recollection of receiving any other $2.00 bill and there is no record of her having received any other $2.00 bill, then it seems probable that Miss Kennard's bill disappeared prior to March 13th, reached the taxi driver in some way and, through him, came into Margery's possession. *This is all on the assumption that the bill taken by Miss Kennard from Margery was really the one that the former had marked and lost—an assumption resting entirely upon Miss Kennard's unsupported statements.* It should be noted that from the date the bill was missed by Miss Kennard every expenditure made by Margery was watched by the amateur detectives, which precludes the possibility of her having spent the bill received from the taxi driver during that period.

It is more than probable that Miss Kennard put the $2.00 bill in her drawer and for some days or weeks watched it carefully, hoping and expecting to see it disappear, but as it lay there for some time and nothing happened she became weary of her watchfulness and ceased to inspect it and then some day prior to March 13th, it was either stolen or possibly she may have inadvertently used it herself. However, she did not miss it until March 17th, and then immediately jumped to the conclusion that it had been stolen on that day during the athletic meet when she and many of the other girls were out of the hall. As Margery was lame at that time, she assumed that Margery was in the hall and had taken the money.

Unreliability of Miss Kennard's Statements:

There are indications that Miss Kennard's memory is not of the best and therefore her statements are not entirely reliable. The mind of a girl of twenty does not operate as an instrument of precision and, therefore, her evidence in matters as serious as this should be taken only after careful investigation and analysis.

In one interview, Miss Thomas stated that Miss Kennard had said that the money had been stolen between 4:30 and 5:30 on March 17th. In a later interview Miss Thomas stated that Miss Kennard had changed her statement and had asserted that the money had been stolen between 4:30 and 6:30 that afternoon. In conversation with another student regarding this matter, Miss Kennard was very indefinite as to the time the $2.00 bill disappeared, but stated that "she thought it must have disappeared during the athletic meet on March 17."

Miss Kennard further stated that Miss Bunch approached Margery first at the station and told her she had not given her a $2.00 bill, whereas Miss Bunch has written a letter stating that Margery approached her first. This is another indication of inaccuracy on the part of Miss Kennard.

Had Miss Kennard taken the precaution of making careful inquiry among Margery's associates she would have learned beyond any question of doubt that Margery was not in the hall at the time she thinks this money was stolen.

ATTITUDE OF THE COLLEGE:

The college apparently adopted the recommendations of Miss Kennard and her associates without any investigation or analysis as to how they arrived at their conclusions, dismissed Margery on one-sided, circumstantial, prejudiced evidence, without even discussing the matter with any one but those who had participated in building up the case against her, giving her no opportunity for a hearing.

Before taking final action, it is stated, the college looked into Margery's past record and secured data covering almost her entire life—all to her credit. But even this did not cause the college to hesitate or to analyze the matter at all before condemning her. It is therefore proper to assume that they were looking for evidence of guilt, not of honesty, something to back up their original assumption that Margery was a thief. Not finding it, they threw this evidence into the discard.

Bolstering a Weak Position:

Since the question has been raised as to the propriety of Margery's dismissal, the college, instead of facing the issue frankly and endeavoring to learn the truth, has "clamped the lid down tight." It has instructed students not to discuss the matter nor to sign any papers on the subject, and has refused to permit Margery or her friends outside of college to interview any of the girls concerned in her dismissal. It evidently prevented Miss Foot from keeping an appointment to see her.

In an effort to bolster up a weak position, the college has stated that there were other reasons for her dismissal that made her an undesirable student. The college is responsible for the natural consequence of its own acts. The natural consequence of dismissing this girl at this time, under the circumstances, is to brand her as a thief. The entire student body is acquainted with the actions taken by the college in its efforts to find the thief. It knows that Margery was under suspicion. Regardless of any other reasons given by the college, the natural construction that has been and will be placed on the college's action in not allowing Margery's return is that she has been adjudged guilty of theft.

None of the other "reasons" which have been advanced for her dismissal are based on facts, but are largely matters of opinion or guesses, evidently worthless, introduced to support a weak case built on intangible evidence—the kind of evidence which was used for hanging women as witches some years ago in Massachusetts—the kind of evidence that is sometimes used to damage the reputation of good people in small village communities.

"Reasons":

Among these "reasons", it is stated that she has a tendency to be depressed more than most people. Sympathetic and sensitive people are at times inclined to be depressed more than the phlegmatic sort. The "Great Carpenter" was known as a "Man of Sorrows."

Another "reason" is that she had frequent headaches. Many good people have headaches. Margery's headaches were due to sinus trouble, which has been cured.

It is further stated that to reinstate Margery would not be "fair" to the other girls—that it would injure them in some way. The truth is just the reverse of this. Her dismissal as it has been conducted is unfair to all the students and is an injury to them, in their relations to the College, that can only be amended by her proper reinstatement.

She has also been accused of extravagance, especially in the matter of horseback riding. The total amount of money expended by her since September for horse back riding was less than $15.00. It has been intimated that she was so extravagant that her allowance could not cover her expenditures and therefore she had to steal. Those responsible for such an argument did not stop to consider that all the money stolen during the year, if added to her monthly allowance, would not have been sufficient to make an appreciable difference in her expenditures. It would have increased her total revenue for the school year by less than four per cent. and increased her daily spending power from $3.33 to $3.44.

All of this goes to show that there has been a tendency to manufacture evidence against this girl out of trivial gossip.

Responsibility of the College:

The clear duty of a college is constructive. It is supposed to help, not to hinder, and above all it should protect its students and especially their most valuable asset, their reputations and characters.

Margery Barker entered Bryn Mawr having a good moral reputation. It was one of the entrance requirements. By the careless way in which this matter has been handled her reputation has been seriously injured and her future standing with the public is bound to be injured unless this matter is cleared up immediately.

SUMMARY.

Bryn Mawr College has permitted one student to serve in the many sided capacities of Chief of Police, Detective, Prosecuting Attorney, Judge and Jury and to pronounce a fellow-student guilty of theft.

The College has held a star chamber session and approved the finding of this combination Chief of Police, Detective, Prosecuting Attorney, Judge and Jury, without giving the condemned girl a hearing; without a single teacher or officer of the school taking the trouble to discuss the matter with her and without making a serous attempt to verify the evidence which was known to be of a very doubtful, prejudiced and circumstantial character. By this act, the College has done a serious injury to one of its students and has broken faith with the mother who has entrusted her daughter to its care.

Regardless of the formal reasons given for her dismissal and of all technicalities in the matter, the circumstances and handling of the case have been such as

to give the dismissal of Margery Barker the effect of publicly branding her as a thief.

The offense for which she is unjustly punished was not of a character that endangered the life of any individual or involved the risk of serious loss of property—therefore there was no reason or excuse for hasty action without conclusive evidence.

The evidence on which this young girl was convicted could not have stood in any criminal court in the land against a prisoner at the bar with a known criminal record.

The arbitrary, star chamber methods used in branding this girl as a thief on inadequate circumstantial evidence presented by a fellow-student, without giving the accused girl a chance even to discuss the matter for which she was dismissed with one of the teachers or officers of the school, is contrary to all Anglo-Saxon institutions and traditions and is a serious blot on the college management.

It is impossible for the College to apply a full and complete remedy for the wrong which has already been done Miss Barker. A partial remedy, however, is possible. That remedy is to ask her to return to College immediately and to announce publicly to the student body that, through a serious mistake, a great wrong has been done her. Nothing short of such action will serve to mitigate the wrong already done and even this will not make amends for the mental anguish and suffering to which she and her family have been put. Not only is such action a duty to Miss Barker and her family, but it is needed to strengthen and improve the standing of the college with its student body and with all others who are familiar with the facts.

April 19, 1921.

Miss M. Carey Thomas, President,
Bryn Mawr College,
Bryn Mawr, Penna.

My dear Miss Thomas:

Your letter of the 8th inst. has not been acknowledged before due to my absence from Pittsburgh. I thank you for sending me the copies of your two letters to Mrs. Barker and your statement of April 2nd. None of these letters answer mine of the 5th to you. The statement which you have issued to the students would, under the circumstances, be construed by them as meaning that Miss Barker was found guilty but that the guilt may possibly be due to illness; it does not help matters.

As a friend of Bryn Mawr I write to urge you to reconsider this matter and permit Miss Barker to return to college immediately. You must realize that I do not want my daughter to associate with a thief and would, therefore, not make this recommendation if I did not feel that a serious wrong had been done Miss Barker.

If you were to tell the student body that a serious mistake had been made, which you deeply regretted, and that Miss Barker was to return to college at once, your action would certainly receive their approval and the approval of all others who heard it.

Mistakes will happen, but the serious mistake in handling this matter in your absence, mentioned in your letter to Mrs. Barker, would be excusable if the resultant injury was, as far as possible, corrected at once.

If you do not recede from the very wrong position you have taken, you will not only injure Miss Barker but will reflect great injury on Bryn Mawr. This matter has become generally known where Bryn Mawr is known, but through other sources than Miss Barker. The situation leaves her and her family no alternative but to see that full publicity is given to all of the facts. It is true that you have made no public charges against Miss Barker, but you have done worse; you have held a star-chamber session and inflicted the maximum penalty without giving her an opportunity to defend herself and without first taking the trouble to talk to her yourself.

By this procedure you place the College in the position of playing fast and loose with the character and future of a young girl entrusted to its care and virtually doing all in its power to wreck her life.

It is possible that technically you have, as you told me, the power to demand any student to leave the college without stating your reasons, but you have no moral right to do so under the circumstances and I firmly believe that if these people take this matter into court, as I certainly would do if it were my daughter, it will not only reflect to the discredit of the college but will cost it a substantial amount of money.

The fact that before my daughter had definitely decided to enter Bryn Mawr and before I had any direct interest there, I endorsed and contributed to the movement in this community for an endowment fund, established my status as a friend of the college. As such and as one directly interested through the enrollment of my daughter as a student, I feel it my right and my duty to ask your serious reconsideration of an action which, under all the circumstances, must tend to shake the confidence in the college of those who are familiar with the matter.

If the God of the Universe takes thought of even the sparrow that falls to the ground, it would seem that the President of a college can afford to be certain beyond the peradventure of a doubt before fixing a permanent and disgraceful stigma upon one of her students.

Very truly yours,

H. B. Rust

April 5, 1921.

Miss M. Carey Thomas,
President, Bryn Mawr College,
Bryn Mawr, Penna.

My dear Miss Thomas:

Referring to my conversation with you Saturday, regardless of who is to blame and of all technicalities to the contrary, in the opinion of the student body at Bryn Mawr, one of their number has been placed on trial for a serious offense. The maximum penalty for one found guilty of such an offense is, I judge, dismissal from college. If this young girl is not permitted to return to college, in the opinion of the public, she will have been found guilty and will have received the maximum penalty for such an offense.

You cannot afford to punish her as though she were guilty, on incomplete evidence, as you thereby run the risk of doing serious permanent injury to a young girl entrusted to your care. You would also set a low standard of right and wrong for the other students by failing to impress on them the necessity of always being just.

She is one of three things:

1. Wholly innocent.
2. Morally deficient.
3. Mentally deficient.

If she is guilty through moral deficienoy and is permitted to return because of incomplete evidence, within a short time, with a recurrence of the offense, the case would be proven and you oould then properly dismiss her. On the other hand, if the offense is not committed again, you will have accomplished her reform. If she is guilty because of mental deficiency, it will occur again and you could then dismiss her. The offense is not of a character that endangers the life of any individual or involves the risk of serious loss of property. Therefore, there is no reason for action without conclusive evidence.

If she is not permitted to return now, you will be taking substantially, the position that it is preferable to risk wrecking the standing and character of a young girl rather than to risk losing a small amount of money. There is no other rational way to view this thing.

If, for reasons other than those under discussion you do not consider her a desirable person to be retained as a member of your student body, you cannot afford at this time to dismiss her, as you thereby inflict punishment and its consequent stigma for an offense of a very different kind.

Miss Thomas:

I wish to make it clear to you that my daughter is not responsible for my taking this matter up with you. The little girl under suspicion telegraphed me direct and asked me to wire you, but I thought I would prefer to go to Bryn Mawr and talk to you.

I was convinced that there was no conclusive evidence against the child and that is why I asked for a few minutes of your time. I did not for a moment desire to interfere with your affairs, but did feel that if a totally disinterested person could take two days of his time in an endeavor to assist in securing justice for one of your students with whom he had only a casual acquaintance that you could well afford to discuss the matter with him for a few minutes.

Yours very truly,

(Signed) H. B. Rust

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